REMARKS

These remarks are made in response to the Office Action of April 08, 2003 (Office Action). As this response is timely filed within the 3-month shortened statutory period, no fee is believed due.

In paragraphs 1 and 2 of the Office Action, claims 1-13 have been rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,405,126 to Palomo *et al.* (Palomo).

In response, please cancel claims 1-13 without prejudice and add claims 14-27. Claims 14-27 are believed to more clearly describe Applicants' invention. In particular, the Applicants have clarified that a destination can be identified within a Web site and navigation information containing geographic coordinates associated with the selected destinations can be transferred to a self-contained, in-vehicle navigation device. No new matter has been added in consequence of these amendments.

Prior to addressing the rejections on the art, a brief review of the Applicants' invention is appropriate. The present invention concerns a vehicle navigation method and apparatus for navigating a vehicle. More particularly, a publicly accessible Web site can be accessed using a computing device, such as a personal computer or cellular telephone, that is remote from the vehicle. Using the Web site, one or more destinations can be selected. The Web site can then determine navigation information for the selected destinations. Navigation information includes the geographical coordinates of the selected destinations. The navigation information can be stored in a memory location that can be either within the computing device or external to the computing device. Thereafter, the navigation information can be transferred from the first memory to a self-contained, in-vehicle navigation device.

The present invention resolves problems relating to the inconvenient and ergonomically unfavorable manner in which data typically is entered into conventional in-vehicle navigation devices. The method also allows vehicle users to contemplate and plan among different destination alternatives in the comfort of their home or office, using a Web site. Further, the computing device used to access the Web site can be a portable computing device, such as a Web-enabled cellular telephone. Using the

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portable computing device, a traveler on-the-go can select new destination points from any location and is not confined to those initial decisions made at home or in the office when initially planning the trip Accordingly, trip destinations can be updated using the portable computing device as circumstances change. The traveler need not think of all desired trip destinations when initially planning the trip. Further, the traveler need not utilize the in-vehicle interface for the navigation device.

Turning to the rejections on the art, claims 1-13 have been rejected under 35 U.S.C. §102(e) as being anticipated by Palomo. Palomo discloses a method where agents of a vehicle rental facility can program vehicle navigation information using a computing device within the rental facility and transfer this navigation information to a vehicle that a customer is renting, thereby allowing customers to use in-vehicle navigation devices without programming the navigation devices themselves.

As claims 1-13 have been canceled, the Applicants will address Palomo with reference to newly added claims 14-27. Referring to claims 14 and 21, the present invention discloses accessing a publicly disclosed Web page using a computing device that is remote from the vehicle and identifying within the Web page at least one destination. Palomo fails to disclose the use of a Web page to identify a navigation destination. In fact, the only means to identify a destination disclosed by Palomo involves a customer verbally communicating destination information to an employee of a vehicle rental facility. The employee then enters the information pertaining to the rental into a terminal. No mention is made of a Web page or any online remote destination identifying tool.

Palomo does disclose that a wireless transmitter/receiver combination can be used to convey a defined data set of navigation information from the rental facility computer to an in-vehicle navigation system. That is, in Palomo the data set can be conveyed wirelessly to the rental vehicle using many different devices, including Metricom's packet radio. Such a coupling of a predetermined data set to an in-vehicle navigation system, however, occurs after the data set is populated. Thus, the cited portion of Palomo has nothing to do with the process of originally selecting a destination as presently claimed.

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Referring to claims 15, 16, 17, 22, 23, and 24, the present invention discloses that destination locations can be identified within a Web site using a portable computing device, such as a cellular device. That is, a traveler on-the-go can use the present invention from any convenient location. In contrast, the computer system for entering navigation information disclosed in Palomo must be entered from a single location, that of a vehicle rental facility, as shown in FIGS. 2 and 6 and as recited in claims 1, 8, and 14 of Palomo.

The Examiner has asserted that Palomo discloses that destination locations can be identified on a personal or handheld computer. In support, the Examiner has cited column 2, lines 45-50 of the Palomo specification. The Applicants respectfully disagree. The cited lines state that the invention of Palomo includes a computing device that is located at a vehicle rental operation. Presumably, the Examiner is referencing the statement at column 2, lines 43-45 stating "however, the apparatus and method of the present invention can also be used in any number of other situations where it is desirable to allow a user to easily locate an intended destination." While Palomo may suggest that the disclosed system can be used in "other situations", Palomo fails to give any specific examples other than rental car facilities. Palomo's broad assertion that the disclosed system can be used in other situations falls far short of teaching or suggesting that destinations can be identified using a portable computing device such as a cellular device. Instead, as noted, FIGS. 2 and 6, claims 1, 8, and 14, and the specification of Palomo, as a whole, clearly specify that navigation information must be entered into a computer system located within a vehicle rental facility.

Referring to claims 17 and 23, the present invention discloses the use of a queue for uploading navigation information into a navigation device. According to the present invention, whenever no communication link exists to upload navigation information to the navigation device, the navigation information can be placed in a queue. Then, wherever a communication link is established, the link can be automatically detected, and the navigation information be automatically conveyed to the navigation device.

The Examiner has cited column 8, lines 45-55 of Palomo for teaching the queue of the present invention. Palomo, however, discloses that a user can call a vehicle

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rental facility and request new destinations. The rental facility can then enter the new destinations and/or retrieve previously stored alternative destinations and convey the new destinations to the in-vehicle navigation system using a communicatively linked cellular network. Thus, in Palomo no queue exists for temporarily holding navigation information in the event that a communication link is severed. Further, Palomo, unlike the present invention, fails to teach a method that detects the establishment of a communication link and upon detection can automatically convey queued data to the in-vehicle navigation device.

In light of the preceding remarks, withdrawal of the 35 U.S.C. § 102(e) rejection is respectfully requested. The Applicants believe that the application in its present form, including claims 14-27, is now in full condition for allowance, which action is respectfully requested. The Applicants request that the Examiner call the undersigned if clarification is needed on any matter within this Amendment, or if the Examiner believes a telephone interview would expedite the prosecution of the subject application to completion.

Respectfully submitted,

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